



FAIR POLITICAL PRACTICES COMMISSION

428 J Street • Suite 620 • Sacramento, CA 95814-2329

(916) 322-5660 • Fax (916) 322-0886

November 16, 2011

Mr. Steve Brown

REDACTED

RE: **Warning Letter**

FPPC No. 09/175, Nutritional Grocers Association of California and Steve Brown

Dear Mr. Brown:

The Fair Political Practices Commission ("Commission") enforces the provisions of the Political Reform Act (the "Act") found in Government Code Section 81000, and following. As you are aware, the Commission received a referral from the Los Angeles County Recorder's Office for your failure to file campaign statements. The Commission has decided to close this case with this warning letter.

The FPPC has completed its investigation of the facts in this case. The Nutritional Grocers Association of California, (the "Committee") qualified as a general purpose committee under the Act on or about July 10, 2000, when it first made expenditures exceeding \$1,000. As such, the committee had a duty to file specified campaign statements. Specifically, the FPPC found that you failed to terminate once the Committee ceased all activity.

The FPPC had determined to close this case with this warning letter, in part because you did not receive contributions or make expenditures since filing the last Recipient Committee Campaign Statement in September of 2008, had less than \$1,000 left in the Committee's account, and filed Form 410 and Form 460 termination statements after being contacted by the Commission.

Pursuant to section 84214 of the Act, a committee should terminate once it has ceased to receive contributions and make expenditures, and does not anticipate doing so in the future, has eliminated or declared that it has no ability to discharge its debts and other obligations, has no surplus funds, and has files all required statements disclosing all reportable transactions.

Termination is effectuated by completing the termination section of the FPPC Form 410, Statement of Organization. A committee must continue filing campaign statements each year until it is eligible to terminate and files a Form 410 Termination.

By failing to timely terminate the Committee, you violated the Act.

This letter serves as a written warning. The information in this matter will be retained and may be considered should an enforcement action become necessary based on newly discovered information or future conduct. Failure to comply with the provisions of the Act in the future will result in monetary penalties of up to \$5,000 for each violation.

Although the Enforcement Division is not seeking a penalty in this matter, you are still required to electronically file all outstanding statements immediately, and will be responsible for any late filing fees assessed by your filing officer. (Govt Code §91013).

A warning letter is an FPPC case resolution without administrative prosecution or fine. However, the warning letter resolution does not provide you with the opportunity for a probable cause hearing or hearing before an Administrative Law Judge or the Fair Political Practices Commission. If you wish to avail yourself of these proceedings by requesting that your case proceed with prosecution rather than a warning, please notify us within ten (10) days from the date of this letter. Upon this notification, the FPPC will rescind this warning letter and proceed with administrative prosecution of this case. If we do not receive such notification, this warning letter will be posted on the FPPC's website ten (10) days from the date of this letter.

Please feel free to contact me with any questions you may have regarding this letter.

Sincerely,

— REDACTED

— Zachary W. Norton
Commission Counsel
Enforcement Division